

O.S.-11-a

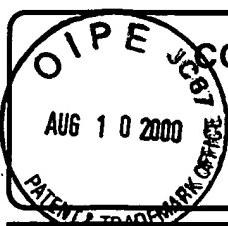
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PTO/SB/29 (2/98)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing.*

*(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX, if applicable:

 DUPLICATE

<b>Address to:</b>  Assistant Commissioner for Patents Box CPA Washington, DC 20231	<b>Attorney Docket No.</b> 002964.P001
	<b>First Named Inventor</b> Jack Rieley
	<b>Examiner Name</b> 2738
	<b>Group / Art Unit</b> J. Pezzlo
	<b>Express Mail Label No.</b> EM014066165US

This is request for a  continuation or  divisional application under 37 CFR 1.53(d),  
 (continued prosecution application (CPA)) of prior application number 08/829,857  
 filed on April 1, 1997, entitled METHOD AND APPARATUS FOR TRANSMISSION AND  
RETRIEVAL OF FACSIMILE AND AUDIO MESSAGES OVER A CIRCUIT OR PACKET SWITCHED.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1440
  - b.  Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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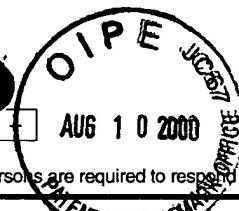
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	22 -20* =	0	x \$ 18.00 =	\$ 0.00
	INDEPENDENT CLAIMS(37 CFR 1.16(b))	2 -3** =	0	x \$ 78.00 =	0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				
	BASIC FEE (37 CFR 1.16(a))				
	Total of above Calculations =				
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue Independent claims over original patent.				
	TOTAL =				

6. Small entity status:

- a.  A small entity statement is enclosed.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02-2666:

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- c.  Fees required under 37 CFR 1.18.

8.  A check in the amount of \$ \$690.00 is enclosed.

9.  Other: Postcard: Return Receipt Requested . . . . .

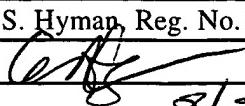
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**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number of Bar Code Label	<input type="text"/>	<input type="checkbox"/> Correspondence address below <i>(Insert Customer No. or Attach bare code label here)</i>			
Eric S. Hyman, Reg. No. 30,139					
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN					
ADDRESS	12400 Wilshire Boulevard, Seventh Floor				
CITY	Los Angeles	STATE	California	ZIP CODE	90025
COUNTRY	U.S.A.	TELEPHONE	(310) 207-3800	FAX	(310) 820-5988

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Eric S. Hyman, Reg. No. 30,139
SIGNATURE	
DATE	8/7/2000